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## Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE RAMIREZ, LUIS GOMEZ, and  
MARCK MENA ORTEGA on behalf of  
themselves and all other persons  
similarly situated.

## Plaintiffs,

V.

**GHILOTTI BROS, INC., a corporation;  
GHILOTTI BROTHERS  
CONSTRUCTION, INC., a corporation,  
and DOES 1 through 50, inclusive.**

### Defendants.

CASE NO. 3:12-cv-04590-CRB

**STIPULATION AND [PROPOSED]  
ORDER RESCHEDULING CASE  
MANAGEMENT CONFERENCE  
AND PLAINTIFF'S MOTION FOR  
LEAVE TO FILE SECOND  
AMENDED COMPLAINT**

STIPULATION AND [PROPOSED]  
ORDER RESCHEDULING CASE  
MANAGEMENT CONFERENCE AND  
MOTION FOR LEAVE TO FILE  
SECOND AMENDED COMPLAINT

1           WHEREAS, the parties have agreed to conduct a Mediation at the Judicial  
 2 Arbitration and Mediation Services (“JAMS”) on January 11, 2013;

3           WHEREAS, Plaintiffs filed their Motion for Leave to File Second Amended  
 4 Complaint (Dkt. No. 18) on December 7, 2012;

5           WHEREAS, the parties stipulated that the time for the hearing on the Motion  
 6 for Leave to File Second Amended Complaint be shortened so that it may be heard on  
 7 January 4, 2013 in conjunction with the Case Management Conference as then  
 8 scheduled, and to accommodate the Mediation (*see* Dkt. No. 18-3);

9           WHEREAS, the stipulation to shorten time on the Motion for Leave to File the  
 10 Second Amended Complaint was not signed by the Court, and the Motion for Leave  
 11 to File the Second Amended Complaint is set for January 11, 2013;

12          WHEREAS, the Court ordered the Case Management Conference in this action  
 13 originally set for January 4, 2013 be continued to January 11, 2013; WHEREAS, the  
 14 Case Management Conference and Motion hearing set for January 11, 2013 pose a  
 15 conflict with the Mediation scheduled by the parties;

16          WHEREAS, the parties have been unable to identify any other date agreeable  
 17 to all parties and the mediator on which the Mediation could be rescheduled, payment  
 18 has been tendered for the Mediation, and multiple individuals from both parties  
 19 cleared scheduling conflicts so that they might attend the Mediation and make a good  
 20 faith effort at resolution of this matter;

21          NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and  
 22 between the parties to the above-captioned action, through their respective counsel, as  
 23 follows:

24          The hearing on Plaintiffs’ Motion for Leave to File Second Amended  
 25 Complaint and the Case Management Conference will be continued to January 18,  
 26 2013.

1 IT IS SO STIPULATED.

2 DATED: December 20, 2012

ROSEN BIEN GALVAN & GRUNFELD LLP  
GAY CROSTHWAIT GRUNFELD  
KATHRYN G. MANTOAN  
JENNY S. YELIN

8 DATED: December 20, 2012

9 JEFFER, MANGELS, BUTLER &  
10 MITCHELL LLP  
11 LOUISE ANN FERNANDEZ  
MICHAEL J. HASSEN  
12 AN NGUYEN RUDA

By: /s/ An Nguyen Ruda  
AN NGUYEN RUDA

13 Attorneys for Defendants GHILOTTI BROS.,  
14 INC. and GHILOTTI BROTHERS  
CONSTRUCTION, INC.

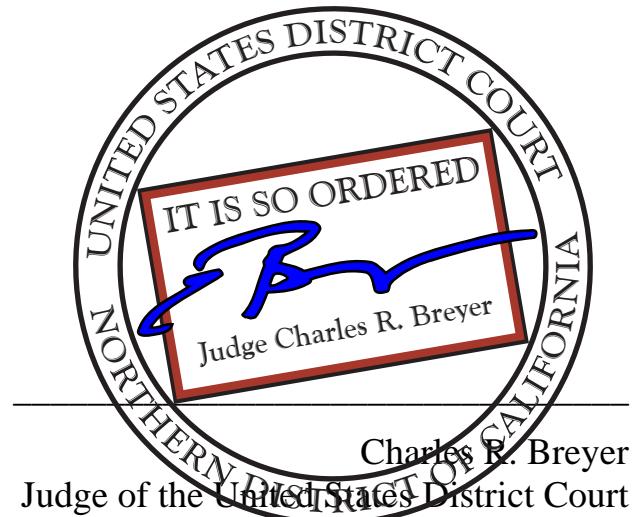
1                   **[PROPOSED] ORDER**

2                   The Court, having reviewed the above Stipulation of the parties, and good  
3 cause appearing, hereby orders as follows:

4                   The hearing on Plaintiffs' Motion for Leave to File Second Amended  
5 Complaint and the Case Management Conference is hereby continued to January 18,  
6 2013.

7                   IT IS SO ORDERED.

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9                   DATED: December 21, 2012



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